

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Inventor(s): Charles E. Taylor, Edward C. McKinney, Jr.,
Tristan M. Christianson and Andrew J. Parker

Appln. No.: UNASSIGNED

Filed: HEREWITH

Title: CD RACK WITH DUAL DISC CASE HOLDER

PATENT APPLICATION

Art Unit: Unknown

Examiner: Unknown

Customer No. 23910

03940 U.S. PRO
10/657525
09/08/03

CERTIFICATE OF MAILING BY "EXPRESS MAIL" UNDER 37 C.F.R. §1.10

"Express Mail" mailing label number: EV326480979US

Date of Mailing: September 8, 2003

I hereby certify that this correspondence is being deposited with the United States Postal Service, utilizing the "Express Mail Post Office to Addressee" service addressed to **Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450** and mailed on the above Date of Mailing with the above "Express Mail" mailing label number.

Lana Jones

(Signature)

Signature Date: September 8, 2003

DIVISIONAL APPLICATION TRANSMITTAL LETTER
UNDER 37 C.F.R. §1.53(b)(1)

Mail Stop PATENT APPLICATION
P.O. Box 1450
Commissioner for Patents
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith for filing as a ___ continuation ☒ divisional application under the continuing application procedure of 37 C.F.R. §1.53(b) is a patent application specification (including claims) and drawings as identified below (of which no new matter has been included):

Title: CD RACK WITH DUAL DISC CASE HOLDER

Inventor(s): Charles E. Taylor, Edward C. McKinney, Jr., Tristan M. Christianson
and Andrew J. Parker

No. of Pages in Specification: 59, No. of Claims: 49.

No. of Sheets of Drawings: 17; Formal: 17 or Informal: ___.

Identification of Prior Complete Application

SC/Serial No.: 10/215,743 Art Unit: 3634
Filed: August 9, 2002 Examiner: Khoa H. Tran
Title: CD Rack with Dual Disk Case Holder
Inventor(s): Charles E. Taylor, Edward C. McKinney, Jr., Tristan M. Christianson and
 Andrew J. Parker

Delete the Following Inventor(s) for This Application:

_____ A Statement To Delete Named Inventor is submitted herewith.

Declaration

_____ A copy of the Declaration (signed by all inventors) from the Prior Complete Application is submitted herewith.
✓_____ A copy of a Declaration For C-I-P Patent Application (five sheets).
_____ An unsigned Declaration For C-I-P Patent Application naming current inventors is submitted herewith.

Amendments

✓_____ Please CANCEL in this application original claims 1-7 and 22-49 of the prior complete application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.) However, if this instruction results in cancellation of all original claims, please instead retain the lowest numbered original claim.
✓_____ Please AMEND the specification by deleting paragraph [0001] and replacing it with the following: "This application is a division of application Serial No. 10/215,743, filed August 9, 2002, which is a continuation of Serial No. 09/721,001, filed November 22, 2000 now patent no. 6,464,088, which in turn is a continuation-in-part of serial no. 09/240,308, filed January 29, 1999, now abandoned. Priority is claimed to all of the above references. All of the above references are hereby incorporated herein by reference."
_____ A Preliminary Amendment is enclosed. Please enter the Preliminary Amendment before calculating the application filing fee. (Claims added must be consecutively numbered beginning with next number after highest number in prior complete application.)

Petition for Extension of Time to Respond

_____ No extension of time is required for the prior complete application.

_____ Pursuant to 37 C.F.R. §1.136(a), enclosed is a petition for an extension of time for the prior complete application, up to and including today, for responding to the Office action together with the fee set by 37 C.F.R. §1.17.

Power of Attorney

☒ A power of attorney appears in the prior complete application.

_____ A new power of attorney is submitted herewith.

Assignment

☒ The prior application is assigned of record to:
Sharper Image Corporation,

_____ An assignment of the invention to:
_____ is submitted herewith, together with an
ASSIGNMENT RECORDATION FORM COVER SHEET and recordal fee of \$40.00.

Claim of Priority

_____ Priority of foreign application Serial No. _____, filed on _____, in _____ is claimed under 35 U.S.C. §1.119.

_____ The certified copy was filed in prior U.S. application Serial No. _____, filed _____.

Small Entity Statement

_____ Statement(s) claiming small entity status is (are) submitted herewith.

_____ Statement(s) claiming small entity status was (were) filed in the parent application Serial No. _____, on _____ and its benefit under 37 C.F.R. §1.28(a) is hereby claimed.

Also Enclosed Are:

☒ An Information Disclosure Statement under 37 C.F.R. §1.56 along with form PTO 1449 (three sheets). No copies of the cited references are enclosed.

_____ A Supplemental Information Disclosure Statement under 37 C.F.R. §1.56 along with form PTO 1449 and a copy of the cited reference.

Filing Fee

The continuation/divisional patent application filing fee is calculated as shown below:

No. Filed	No. Extra	Rate Small Entity/ Other Than Small Entity		
Basic Fee		\$375.00 \$750.00	=	\$ 750.00
Total Claims <u>14</u> ** - 20	= <u>0</u> *	\$ 9.00 \$ 18.00	=	\$ 0.00
Independent Claims <u>2</u> ** - 3	= <u>0</u> *	\$ 42.00 \$ 84.00	=	\$ 0.00
First Presentation of Multiple Dependent Claim(s) _____		\$140.00 \$280.00	=	\$ NONE
Total PATENT APPLICATION FILING FEE:				<u>\$750.00</u>

* If the difference is less than zero, enter "0".

** Count claims after any amendment.

Method of Payment of Fees

The total fee associated with this communication is calculated as follows:

Patent application filing fee	\$750.00
Net fee for extension of time (See attached petition)	\$ --
Assignment recordal fee (See attached cover sheet)	\$ --
TOTAL FEE DUE:	<u>\$750.00</u>

✓ A check in the amount of the \$750.00 is enclosed.

✓ The Commissioner is hereby authorized to charge underpayment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 06-1325. A **duplicate** copy of this DIVISIONAL APPLICATION TRANSMITTAL LETTER UNDER 37 C.F.R. §1.53(b)(1) form is enclosed.

Correspondence Address


All correspondence should be addressed as follows:

Sheldon R. Meyer
FLIESLER DUBB MEYER & LOVEJOY LLP
Four Embarcadero Center, Fourth Floor
San Francisco, California 94111-4156
Telephone (415) 362-3800

Direct all telephone calls to the undersigned attorney at (415) 362-3800.

Respectfully submitted,

Date: 9/8/03

By: 
Daniel J. Burns, Reg. No. 50,222

FLIESLER DUBB MEYER & LOVEJOY LLP
Four Embarcadero Center, Suite 400
San Francisco, California 94111-4156
(415) 362-3800